

Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference B02/4408QT	FOR FURTHER ACTION		See Form PCT/IPEA/416
International application No. PCT/FR2004/000222	International filing date (day/month/year) 02.02.2004	Priority date (day/month/year) 03.02.2003	
International Patent Classification (IPC) or national classification and IPC HO4L 29/06			
Applicant FRANCE TELECOM			

<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 7 sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input type="checkbox"/> (sent to the applicant and to the International Bureau) a total of _____ sheets, as follows:</p> <p><input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>
<p>4. This report contains indications relating to the following items:</p> <p><input checked="" type="checkbox"/> Box No. I Basis of the report</p> <p><input type="checkbox"/> Box No. II Priority</p> <p><input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p><input type="checkbox"/> Box No. IV Lack of unity of invention</p> <p><input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p><input type="checkbox"/> Box No. VI Certain documents cited</p> <p><input checked="" type="checkbox"/> Box No. VII Certain defects in the international application</p> <p><input type="checkbox"/> Box No. VIII Certain observations on the international application</p>

Date of submission of the demand 20-08-2004	Date of completion of this report 01-02-2005
Name and mailing address of the IPEA/	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/FR2004/000222

Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

This report is based on translations from the original language into the following language _____, which is the language of a translation furnished for the purposes of:

international search (Rule 12.3 and 23.1(b))
 publication of the international application (Rule 12.4)
 international preliminary examination (Rule 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on (*replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report*):

the international application as originally filed/furnished
 the description:

pages 1-11 as originally filed/furnished

pages* _____ received by this Authority on _____

pages* _____ received by this Authority on _____

the claims:

nos. 1-12 as originally filed/furnished

nos.* _____ as amended (together with any statement) under Article 19

nos.* _____ received by this Authority on _____

nos.* _____ received by this Authority on _____

the drawings:

sheets 1/4-4/4 as originally filed/furnished

sheets* _____ received by this Authority on _____

sheets* _____ received by this Authority on _____

a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. The amendments have resulted in the cancellation of:

the description, pages _____
 the claims, nos. _____
 the drawings, sheets/figs _____
 the sequence listing (*specify*): _____
 any table(s) related to sequence listing (*specify*): _____

4. This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

the description, pages _____
 the claims, nos. _____
 the drawings, sheets/figs _____
 the sequence listing (*specify*): _____
 any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

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Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
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1. Statement

Novelty (N)	Claims	1-12	YES
	Claims		NO
Inventive step (IS)	Claims		YES
	Claims	1-12	NO
Industrial applicability (IA)	Claims	1-12	YES
	Claims		NO

2. Citations and explanations (Rule 70.7)

1. Reference is made to the following documents:

D1: EP-A-1 024 441;
 D2: US 2002/069298 A1;
 D3: US 2002/059425 A1;
 D4: EP-A-1 271 360;
 D5: US-B1-6 404 884;
 D6: US 2002/038316 A1;
 D7: WO-A-02/25403;
 D8: AGARWAL S ET AL: "On the scalability of data synchronization protocols for PDAs and mobile devices" IEEE NETWORK, JULY-AUG. 2002, IEEE, USA, vol. 16, no. 4, pages 22-28, XP002252896 ISSN: 0890-8044.

2. The present application does not fulfil the requirements set forth in PCT Article 33(1) because the subject matter of claim 1 does not involve an inventive step as defined in PCT Article 33(3).

2.1 Document D1, which is considered to be the prior art closest to the subject matter of claim 1,

Box No. V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

describes (the references between parentheses apply to said document):

a system for synchronising data between service entities, each hosting at least one personal information management service (PIM; paragraphs 5 and 17), wherein one of said entities is accessible via a remote access terminal (paragraphs 19 and 20) that comprises first data synchronisation means suitable for establishing a match between the data stored on said entities (paragraph 31), which first data synchronisation means have a client/server architecture (paragraphs 5 and 20 and figure 1) that consists of, on the one hand, a module (figure 2b, reference sign 252) hosted on one of said entities and in communication with a PIM server (figure 2b, reference sign 130) implementing the personal information management service and, on the other, a synchronisation module (figure 2b, reference sign 253) in communication with another personal information service (figure 2b, reference sign 230).

- 2.2 It follows that the subject matter of claim 1 differs from this known synchronisation system in that the data synchronisation modules are hosted on separate portals.
- 2.3 The problem that the present invention is intended to solve can therefore be considered to be that of

Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
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distributing synchronisation modules between separate servers that communicate via a computer network.

2.4 The client/server architecture that enables such module distribution is well known to a person skilled in the art. An example of the distribution of synchronisation modules between a plurality of PIM servers is disclosed in document D2 (paragraphs 3, 4, 5, 13 and 14 and figure 1, reference signs 55a, 55b and 55c). It follows that a person skilled in the art would have used this distributed architecture together with synchronisation modules (figure 2b, reference signs 251, 252 and 253) in such a way as to arrive at a system as per claim 1 of the present application.

As a result, the solution proposed in claim 1 of the present application is not considered to be inventive (PCT Article 33(3)).

3. The same arguments apply *mutatis mutandis* to the subject matter of the corresponding independent claims 8 and 10, which are likewise not inventive.
4. The dependent claims do not contain any features (in particular, the distribution of part of the system between the terminals, the use of a standardised synchronisation language using XML-content description tags, the use of standardised vCard and vCalendar formats, the use of a

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<p>man/machine interface to generate synchronisation commands, etc.) which, in combination with the features of any one of the claims to which they refer, might define subject matter that fulfils the PCT requirement of inventive step (see documents D1 to D8 and the corresponding passages cited in the search report).</p>	

Box No. VII Certain defects in the international application

The following defects in the form or contents of the international application have been noted:

Although claims 1 and 8 have been drafted as separate independent claims, it appears that they have the same subject matter and that they differ only by virtue of a variation in the definition of the subject matter for which protection is sought and in the terms used to define the features thereof. It follows that these claims are not concise and do not, therefore, fulfil the requirements of PCT Article 6.